

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CBF INDÚSTRIA DE GUSA S/A, DA TERRA
SIDERÚRGICA LTDA, FERDUMAR – FERRO
GUSA DO MARANHÃO LTDA, FERGUMINAS
SIDERÚRGICA LTDA, GUSA NORDESTE S/A,
SIDEPAR – SIDERÚRGICA DO PARÁ S/A, and
SIDERÚRGICA UNIÃO S/A,

Civil Action No. 13-2581-PKC

Plaintiffs,

- vs -

AMCI HOLDINGS, INC., AMERICAN METALS &
COAL INTERNATIONAL, INC., K-M
INVESTMENT CORPORATION, PRIME CARBON
GMBH, PRIMETRADE, INC., HANS MENDE, AND
FRITZ KUNDRUN,

Defendants.

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**PLAINTIFFS' NOTICE OF MOTION TO CONFIRM *EX PARTE* ORDER OF
PREJUDGMENT ATTACHMENT AND FOR INJUNCTIVE RELIEF**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and the Declaration of Adam K. Grant, dated June 3, 2019, and the exhibits attached thereto, Plaintiffs CBF Indústria De Gusa S/A, Da Terra Siderúrgica LTDA, Ferdumar – Ferro Gusa Do Maranhão LTDA, Ferguminas Siderúrgica LTDA, Gusa Nordeste S/A, Sidepar – Siderúrgica Do Pará S/A, and Siderúrgica União S/A (“Plaintiffs”) will move this Court, before the Honorable P. Kevin Castel, at the United States Courthouse located at 500 Pearl Street, Courtroom 11D, New York, on a date and time to be designated by the Court, for an order confirming the *Ex Parte* Order of Prejudgment Attachment issued by this Court on May 14, 2019, and granting a preliminary injunction enjoining defendant Hans J. Mende from taking any action (directly or indirectly) to transfer, encumber, or otherwise diminish the value of any assets subject to the Attachment Order

over which he has control, to the point where such asset becomes valued at less than the amount necessary to secure the full amount of the attachment order.

In accordance with Rule 3(C) of the Individual Practices of Judge P. Kevin Castel and Rule 6.1 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, opposing affidavits and answering memoranda shall be served within fourteen days after service of these moving papers, and any reply affidavits and memoranda of law shall be served within seven days after service of the answering papers.

Dated: June 4, 2019

Respectfully submitted,



Adam K. Grant
Elizabeth J. Sher
Jonathan S. Zelig

Day Pitney LLP
Seven Times Square
New York, NY 10036
T: (212) 297-5803
F: (212) 499-4154
agrant@daypitney.com

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that, on the 4th day of June 2019, copies of the foregoing document in its entirety, along with the accompanying Declaration of Adam K. Grant (with exhibits, Memorandum of Law, and Proposed Order were served upon counsel for Defendants by e-mail as follows: Kevin P. Lucas, kevin.lucas@bipc.com; Stuart Slotnick, stuart.slotnick@bipc.com; Alexandra P. West, alexandra.west@bipc.com. Such documents will further be served upon counsel for Defendants by overnight mail.



ADAM K. GRANT